

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:04cr233

3:05cr311

UNITED STATES OF AMERICA

vs.

STACY JOAN BOGAN

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ORDER

THIS MATTER is before the Court upon motion of the defendant for to run her federal sentences concurrently so that she can participate in the Bureau of Prisons residential drug treatment earlier. (Case No. 3:04cr233: Doc. No. 33; Case No. 3:05cr311: Doc. No. 17).

After the defendant pled guilty to the fraud and identity theft charges in Case No. 3:04cr233, she committed the identity theft charged in Case No. 3:05cr311. In her Amended Consolidated Plea Agreement settling both cases, the defendant agreed to receive consecutive sentences. (Case No. 3:04cr233: Doc. No. 21; Case No. 3:05cr311: Doc. No. 10). Judgement in each case was entered on May 1, 2006. (Case No. 3:04cr233: Doc. No. 22; Case No. 3:05cr311: Doc. No. 11). Accordingly, there is no legal basis to grant her request to alter the judgment. Fed. R. Crim. P. 35.

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S. Probation office.

Signed: March 31, 2008

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

